

ITALY 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Italian Republic is a multiparty parliamentary democracy with a bicameral parliament consisting of the Chamber of Deputies and the Senate. The constitution vests executive authority in the Council of Ministers, headed by a prime minister whose official title is president of the Council of Ministers. The president of the republic is the head of state and nominates the prime minister after consulting with political party leaders in parliament. Parliamentary elections in September were considered free and fair. Members of parliament and regional representatives elect the president of the republic; the last such election was held in January.

The National Police and Carabinieri (gendarmerie or military police) maintain internal security. The National Police reports to the Ministry of Interior. The Carabinieri reports to the Ministry of Defense but is also under the coordination of the Ministry of Interior. The Carabinieri is primarily a domestic police force organized along military lines, with some overseas responsibilities. The army is responsible for external security but also has specific domestic security responsibilities such as guarding public buildings. Civilian authorities maintained effective control over the security forces.

Significant human rights issues included credible reports of: violence or threats of violence against journalists; crimes involving violence and threats of violence targeting members of national, racial, and ethnic minorities; crimes, violence, and threats of violence motivated by antisemitism; and violence against lesbian, gay, bisexual, transgender, queer, or intersex persons.

The government took steps to identify, investigate, prosecute, and punish officials who committed human rights abuses or engaged in corruption.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically

Motivated Killings

There were no reports that the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses

The constitution and law prohibit torture or cruel, inhuman or degrading treatment or punishment. Prosecutors filed criminal charges against prison authorities alleged to have engaged in such practices.

On July 12, a judge acted on the indictment of 105 prison guards at the Santa Maria Capus Vetere prison accused in March 2020 of beating a group of prisoners who had protested for more masks, gloves, and hand sanitizer to protect against COVID-19. Twelve of the guards were also indicted on charges of manslaughter for the death of an Algerian prisoner. A trial was scheduled to begin November 7. Separately on February 18, a Milan court sentenced four prisoners to up to five years and four months in jail for kidnapping, violent assault, and vandalism that occurred during the 2020 protests.

Associazione Antigone, a domestic nongovernmental organization (NGO) that reports on the human rights of prisoners, filed complaints with prosecutors for similar episodes of alleged mistreatment in three additional prisons. On April 20, a judge acted on the indictment of 22 prison guards for a series of episodes of prisoner abuse against at least 11 prisoners that allegedly occurred in a Turin prison between 2017 and 2019.

Prison and Detention Center Conditions

Prison and detention centers were at times overcrowded and space for social and

cultural activities was insufficient. NGOs and media reported cases of mistreatment of prisoners.

Abusive Physical Conditions: Prison populations at the Brescia, Grosseto, Latina, and Busto Arsizio prisons exceeded 160 percent of capacity. While the law requires the separation of pretrial detainees from convicted prisoners, Associazione Antigone reported that authorities at those prisons kept the two groups of prisoners together.

According to a July report by Associazione Antigone, approximately one-third of the prisons that the NGO visited during the year did not meet the minimum requirement of 32 square feet for each detainee. Additionally, the report noted that prisons in Augusta and Santa Maria lacked sufficient running water. Lack of access to physical activity for inmates contributed at times to mental health issues. Ristretti Orizzonti, an NGO that tracks prison deaths, reported that 66 prisoners had committed suicide, and 60 had died of other causes as of October 10. Associazione Antigone alleged that overcrowding and lack of services contributed to several deaths.

In several cases, health care in prisons, including diagnosis, treatment, and psychiatric support, was insufficient.

In March and April, the Council of Europe's Committee for the Prevention of Torture (CPT) visited four prisons, nine police offices, four psychiatric units, and two nursing homes, and provided preliminary observations to authorities. A final report of their visit remained pending at year's end.

Administration: Authorities investigated credible allegations of mistreatment.

Independent Monitoring: In addition to periodic visits by the CPT, the government permitted independent human rights organizations, parliamentarians, the national and regional ombudsmen of detainees, and media to visit prisons and detention centers. The government also provided access to migrant and refugee detention centers to representatives of the Office of the UN High Commissioner

for Refugees (UNHCR), the Italian Red Cross, the International Organization for Migration (IOM), Medecins sans Frontieres, and the European Asylum Support Office.

d. Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention and provides for the right of any person to challenge the lawfulness of his or her arrest or detention in court. The government generally observed these requirements.

Arrest Procedures and Treatment of Detainees

To detain an individual, police must have a warrant issued by a public prosecutor, unless a perpetrator is caught in the act or there is a specific and immediate danger to which a police officer is responding. The law requires authorities to inform a detainee of the reason for arrest. If authorities detain a person without a warrant, an examining prosecutor must decide within 24 hours of detention whether there is enough evidence to validate the arrest. An investigating judge then has 48 hours to affirm the arrest and recommend prosecution. In cases of alleged terrorist activity, authorities may hold suspects up to 48 hours before bringing the case to a magistrate. These rights and processes generally were respected.

There is no provision for bail, but judges may, and often do, grant detainees provisional liberty while awaiting trial. The government provides a lawyer to indigent persons at its expense. The law requires authorities to allow a detainee to see an attorney within 24 hours of his or her arrest, or within 48 hours for cases of suspected terrorist activities. Access to an attorney can take up to five days under exceptional circumstances if the investigating judge needs to interrogate the accused concerning organized crime or if the judge foresees a risk the attorney may attempt to tamper with the evidence.

Pretrial Detention: Pretrial detention that exceeded the legal time limit of up to six years, and trial delays, were problems. Authorities normally adhered to the maximum term for pretrial detention; in no case did it equal or exceed the

maximum sentence for the alleged crime. According to independent analysts and magistrates, the large number of drug and immigration cases awaiting trial, the lack of judicial remedies, the high number of foreign detainees, and insufficient digitalization of trial records resulted in delays. In some cases, detainees could not be placed under house arrest because they had no legal residence or because there was a shortage of resources, including officers, judges, and administrative staff.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence and impartiality. There were isolated reports that judicial corruption and politically motivated investigations by magistrates impeded justice.

Trial Procedures

The constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right.

Defendants have the right to a fair and public trial, although trials were delayed due to an insufficient number of available judges and administrative clerks or due to legal maneuvering. Judiciary experts reported foreign detainees were occasionally unable to access free interpretation or translation services in a timely manner.

Domestic and European institutions criticized the slow pace of the judicial process. The Ministry of Justice reported that during the judicial year 2020/2021, the period between a criminal being charged and the start of the corresponding trial was on average 439 days. Additionally, it took an average of 956 days for a case to arrive at the court of appeals from the time of the initial indictment. The country's "prescription law" (statute of limitations) in criminal proceedings requires that a trial end by a specific date. Courts determine when the statute of limitations applies. Defendants sometimes took advantage of delays to exceed the statute of limitations, which allowed them to avoid a guilty sentence at trial, or to be released

from prison pending an appeal by the prosecutor's office. In 2020 the Ministry of Justice reported the statute of limitations applied to 85,272 cases. As of September, 71 percent of prisoners had received a final sentence, compared with only 69 percent in 2021.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

By law, individuals and organizations may seek civil remedies for human rights violations through domestic courts. The government regularly complied with court decisions pertaining to human rights. Individuals may bring cases of alleged human rights violations by the government to the European Court of Human Rights once they exhaust all avenues for a remedy in the domestic court system.

Property Seizure and Restitution

The government has endorsed the Terezin Declaration and worked toward fulfilling its goals and objectives. The Jewish community has no outstanding restitution claims with the government. The Anselmi Commission, a technical body with the mandate to investigate the confiscation of Jewish assets during the Holocaust and the restitution of assets thereafter, reported in 2002 that, in general, deported survivors who claimed assets received them back, but those survivors or heirs who did not claim assets remained uncompensated. Governmental institutions, however, have not followed up on the Anselmi Commission's recommendations to try to identify survivors or their heirs entitled to unclaimed property. The Union of Italian Jewish Communities (UCEI) reported that, in general, most confiscated assets were returned to their owners or next of kin except in cases when the latter could not be identified. UCEI additionally noted that national and local authorities have not been fully effective in seeking out potential claimants for communal and heirless property but characterized the government as cooperative and responsive to community concerns in the areas of protection and

restoration of communal property. The Rome Jewish Community continued to seek international assistance to restore the contents of the Jewish communal library of Rome looted by the Nazis in 1943.

A December 2020 law expanded compensation to Holocaust survivors, Jewish victims of persecution, and their heirs facilitating access to a 500 euros (\$487) per month government benefit. That law also simplified procedures to obtain the benefit, easing the requirement of proving that discrimination occurred.

The Department of State's Justice for Uncompensated Survivors Today (JUST) Act report to Congress, released in July 2020, can be found on the Department's website: <https://www.state.gov/reports/just-act-report-to-congress/>.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, and there were no reports of arbitrary or unlawful interference by the government.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The constitution provides for freedom of expression, including for the press and other media, and the government generally respected this right. An independent press, an effective judiciary, and a functioning democratic political system combined to safeguard freedom of expression, including for members of the media.

Freedom of Expression: The law criminalizes insults against any divinity as blasphemy and penalizes offenders with fines. There were no reports of enforcement of this law or of convictions during the year.

Speech based on racial, ethnic, national, or religious discrimination is a crime

punishable by up to 18 months in prison. Detention is legitimate only in the case of serious violation of fundamental rights and hate crimes. Holocaust denial is an aggravating circumstance carrying additional penalties in judicial proceedings.

Libel/Slander Laws: The law criminalizes defamation and libel with penalties ranging from the payment of fines to three years in prison. Individuals convicted of reporting falsehoods as facts, including editors of newspapers, magazines, and social media sites, may be imprisoned. Criminal penalties for libel were seldom carried out. In December 2021, a court convicted journalist Massimo Fini for having intentionally published articles that included false details on the 2012 Costa Concordia ship disaster. Fini was sentenced to pay trial costs and to publish the guilty ruling in national newspapers and on his blog for 15 days. In 2021, the Constitutional Court ruled that a provision of the 1948 law on the press was unconstitutional because it required judges to punish all cases of libel and defamation with imprisonment if committed through the press and consisting of “attribution of a specific fact.”

Nongovernmental Impact: According to the NGO Reporters without Borders, there was significant hostility towards reporters and approximately 20 journalists – mostly in Rome and the South – received around-the-clock police protection because of serious threats or murder attempts from criminal groups. In Rome, reporters were at times harassed by neo-Fascist activists, and in Northern regions by anarchists and neo-Nazi groups.

Police reported 64 cases of intimidation against journalists, 55 of which occurred online between January and June, compared to 110 such incidents during the same period in 2021. Organized crime gangs were believed responsible for eight incidents. The Committee to Protect Journalists (CPJ) requested authorities investigate a July 18 incident against journalist Francesco Di Giorgio, whose car was set afire in Altipiani di Arcinazzo, in the province of Frosinone, shortly after he posted a Facebook video alleging that farmers had abandoned their livestock. The CPJ also reported that on May 24, police raided and confiscated documents from the newsroom of public broadcaster *Radiotelevisione Italiana* (RAI) and the

home of reporter Paolo Mondani. Caltanissetta prosecutors authorized the operation following the publication of details of an investigation into alleged links between organized crime and far-right groups.

Reporters without Borders reported that journalists exposed to threats by criminal organizations increasingly chose to self-censor out of fear. On July 31, anarchist groups vandalized the newsroom of the national daily *La Stampa* following several reports critical of their activities.

The independent news outlet *Ossigeno* reported 118 cases of journalists who were victims of threats between January and April. Approximately 31 percent of journalists who received threats had previously been accused of libel; 7 percent of the journalists who received threats were victims of violent attacks.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports that the government monitored private online communications without appropriate legal authority.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association, and the government generally respected these rights.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

e. Protection of Refugees

The government cooperated with UNHCR and other international and humanitarian organizations in providing protection and assistance to refugees, asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection for refugees.

By mid-December 2021, a total of 63,062 seaborne irregular migrants had entered the country, compared to 32,919 during the same period in 2020. The increase, together with the fear of possible COVID-19 transmission, affected the ability of authorities to provide housing and other services to migrants and asylum seekers. The Italian Red Cross was responsible for managing migrants during their period of COVID-19 quarantine.

NGOs and independent observers identified difficulties in asylum procedures, including inconsistencies in the application of standards in reception centers and insufficient referral rates of trafficking victims and unaccompanied minors to appropriate, adequate services. NGOs asserted authorities did not properly identify many of the victims on arrival, potentially leaving some trafficking victims unidentified within the system and classified instead as asylum seekers or undocumented immigrants subject to deportation.

During the year a large number of refugees fleeing the conflict in Ukraine arrived at the country's borders. The country's rules provided temporary protection for one year, which could be extended for another year, to Ukrainians and long-term residents of Ukraine who fled the country after the full-scale Russian invasion began on February 24. The decree also provided access to health care, education, and financial assistance, allowing beneficiaries to work legally.

The government approved a stipend of 300 euros (\$293) per adult and 150 euros (\$147) per child for three months for approximately 60 percent of Ukrainian refugees who were not already living in government-provided housing. On July

31, the Ministry of Interior reported that government migration centers hosted 14,354 Ukrainian refugees. NGOs reported they provided accommodation to thousands more in cooperation with private families. The government also provided funds to NGOs to host refugees assisted by the Department of Civil Protection. Border officials transferred many of the refugees upon arrival to regional and local authorities and ultimately assigned the refugees to hotels. The Ministry of Interior adopted a plan for unaccompanied Ukrainian children hosted by local authorities and private families.

Refoulement: Amnesty International and other NGOs accused the government of failing to protect migrants when, in February 2021, it renewed with Libya the 2017 memorandum of understanding on illegal immigration. Italian authorities sometimes cooperated with the Libyan coast guard to seize vessels carrying migrants in Libyan waters to return them to Libya. Civil society, including UNHCR, did not consider Libya a “safe country” due to the absence of a functioning asylum system, the widely reported difficulties faced by refugees and asylum seekers in Libya including the lack of protection from abuses, the lack of durable solutions, and a heightened risk of trafficking facing migrants forced to remain in Libya.

Abuse of Migrants and Refugees: International humanitarian and human rights organizations accused the government of endangering migrants by encouraging Libyan authorities, through cooperation and resources, to seize migrants at sea and return them to reception centers in Libya. Aid groups and international organizations deemed the Libyan centers to have inhuman living conditions.

The IOM, UNHCR, and NGOs reported labor exploitation, including labor trafficking, of asylum seekers, especially in the agricultural and service sectors (see section 7.b.), and sexual exploitation, including child sex trafficking, of unaccompanied migrant minors (see section 6, Children).

The government uncovered corruption and organized crime in the management of resources allotted for asylum seekers and refugees. On May 7, press reported an

investigation against the former mayor of Isola Capo Rizzuto, Gianluca Bruno, and the former accountant of the Crotone prefecture, Carmelo Giordano. The two were investigated for alleged corruption in the management of a migration center. Police also investigated suspected infiltrations of organized crime (see section 6 on displaced children). On September 14, the Catanzaro Prosecutor's Office concluded its investigation and called for the two to be indicted. On October 20, the Court of Catanzaro began a preliminary hearing to decide whether to pursue criminal charges.

Freedom of Movement: The law permits authorities to detain migrants and asylum seekers in identification and expulsion centers for up to 120 days if authorities decide they pose a threat to public order or if they may flee from a deportation order or predeportation jail sentence. Between August 2021 and July, the government expelled 61 foreigners who were suspected of posing a threat to national security. The government worked to reduce the flow of migrants across the Mediterranean Sea traveling aboard smuggler vessels and restricted migrant movement for up to 72 hours after they arrived at reception centers.

Employment: According to labor unions and NGOs, employers continued to discriminate against refugees in the labor market, taking advantage of weak enforcement of legal protections against exploitation of noncitizens.

Access to Basic Services: UNHCR, IOM, and other humanitarian organizations and NGOs reported that thousands of legal and irregular foreigners, including refugees, were living in abandoned, inadequate, or overcrowded facilities in Rome and other major cities. They also reported that these persons had limited access to health care, legal counseling, basic education, and other public services. Many refugees working in the informal economy could not afford to rent apartments, especially in large cities. They often lived in makeshift shacks in rural areas or squatted in buildings in substandard conditions. NGOs claimed that the government provided limited services meant primarily for young men who traditionally made up the majority of new arrivals and in many cases did not request support from local authorities. Many Ukrainian refugees were unable to

easily access health care and specialized services for women and children. Ukrainian minors were allowed to enroll in public schools, but many often did not receive assistance in learning Italian and integrating into local schools.

Durable Solutions: The government's limited attempts to integrate refugees into society produced mixed results. The government offered refugees resettlement services, while both the government and the IOM assisted migrants and refugees who opted to return to their home countries. On August 25, the government allowed 38 asylum seekers to be relocated to France as a first step in the implementation of the voluntary solidarity mechanism adopted on June 10 by 18 EU member states and three other European countries. The agreement provided the redistribution of 10,000 asylum seekers annually, primarily among those rescued by NGO ships, with the financial support of the European Commission and in cooperation with IOM.

Temporary Protection: The government provided temporary protection to individuals who may not qualify as refugees. Between January and July, the government provided special protection to 185 persons and subsidiary protection to 2,258 persons.

g. Stateless Persons

According to the NGO Associazione 21 Luglio, less than 1,000 Roma stateless persons lived in the country in 2021. Most of them were children born in Italy to parents from the former Yugoslavia. The law gives citizenship to children born in the country to stateless individuals, both of whom must have obtained formal recognition of stateless status. Otherwise, Italian citizenship will not be conferred upon the child at birth, and the child will be born stateless. The law provides that individuals formally recognized as stateless may request to become naturalized citizens after five years of legal residence in the country.

Section 3. Freedom to Participate in the Political Process

The constitution provides citizens the ability to choose their government in free

and fair periodic elections held by secret ballot and based on universal and equal suffrage.

Elections and Political Participation

Recent Elections: National and international observers considered the September 25 parliamentary elections free and fair.

Participation of Women and Members of Minority Groups: No laws limit participation of women or members of historically marginalized groups in the political process, and they did participate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government sometimes implemented the law effectively. Corruption was a problem. Officials sometimes engaged in corrupt practices.

Corruption: Attacks against journalists who investigated organized crime and corruption occasionally occurred and were investigated by authorities. Reporters without Borders said that journalists who investigated organized crime and corruption were at times threatened, subjected to physical violence, and death threats.

On July 21, a Bergamo court convicted Enrico Picinelli, a former senator from the Forza Italia party and a former council member for territorial planning in the province of Bergamo, to seven years in prison for corruption. He received 275,000 euros (\$267,000) in bribes in 2013 and 2014 for approving a zoning plan.

Section 5. Governmental Posture Towards International and Nongovernmental Investigation of Alleged Abuses of Human

Rights

A variety of domestic and international human rights groups generally operated without government restriction, investigating, and publishing their findings on human rights cases. Government officials were generally cooperative and responsive to their views.

Government Human Rights Bodies: The National Office to Combat Racial Discrimination under the Department of Equal Opportunity in the Prime Minister's Office assisted victims of discrimination. The Interministerial Committee for Human Rights of the Ministry of Foreign Affairs and the Senate's Human Rights Committee focused on international and high-profile domestic cases.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law penalizes convicted perpetrators of rape of either gender, including spousal rape, with six to 12 years in prison. The law criminalizes the physical abuse of women, including by family members, and provides for the prosecution of perpetrators of gender-based violence and assistance in shielding from publicity women who have experienced gender-based violence. The government effectively enforced the law. Judicial protective measures for domestic violence allow for an ex parte application to a civil court judge in urgent cases. A specific law on stalking includes mandatory detention for acts of sexual violence, including by partners. Authorities prosecuted perpetrators of gender-based violence, but survivors frequently declined to press charges due to fear, shame, or ignorance of the law. Gender-based violence, particularly femicide, remained a significant problem.

Between August 2021 and July, current or former domestic partners killed 68 women. In the same period, authorities reported 15,817 cases of stalking. On August 23, police arrested Giovanni Padoani, who killed his partner, Alessandra

Matteuzzi, with a hammer. On July 29, Matteuzzi reported Padoani to authorities for stalking. The minister of justice opened an investigation to ascertain if prosecutors and police should have taken preventative measures to protect the victim.

The Department of Equal Opportunity operated a hotline for survivors of gender-based violence seeking immediate assistance and temporary shelter. It also operated a hotline for those experiencing stalking. Between January and March, the hotline received 7,814 valid calls.

Sexual Harassment: By law, sexual harassment is a crime. Sexual harassment in public or by telephone may be punished by up to six months' incarceration and a 516 euro (\$505) fine. The government effectively enforced the law. Police investigated reports of harassment.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Independent observers and NGOs reported that government health authorities did not provide sufficient resources to adequately supply the public with reproductive health services and counseling.

The government provided access to sexual and reproductive health services for survivors of sexual violence. Emergency contraception was available as part of clinical management of rape. NGOs reported that in some cases government personnel were not sufficiently trained to identify survivors and refer them to the requisite sources of assistance.

Discrimination: Women have the same legal status and rights as men, including under family, religious, personal status, and nationality laws, as well as laws related to labor, property, inheritance, employment, access to credit, and owning or managing businesses or property. The government enforced laws prohibiting discrimination in all sectors of society and economy. The law does not allow women to remarry within 300 days of their divorce or marriage annulment. They

may request a waiver to a court proving that they are not pregnant. Women nonetheless experienced discrimination, particularly with respect to employment (also see section 7.d. regarding pay disparities between genders).

Systemic Racial or Ethnic Violence and Discrimination

Various laws seek to protect members of racial and ethnic minorities from violence and discrimination. The government generally enforced these laws effectively. Discrimination against members of ethnic minorities, including Roma, Sinti, and the nomadic Caminanti, remained a problem. There were reports of discrimination based on race or ethnicity in employment (see section 7.d.).

The press and NGOs reported cases of incitement to hatred, violent attacks, forced evictions from unauthorized camps, and mistreatment by municipal authorities. In 2020, authorities reported 1,111 cases of discrimination, 848 cases of racial hatred, 192 of discrimination against persons with disabilities, and 72 of discrimination against lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons. On April 21, a court in Venice ordered the Veneto Region to amend regional rules requiring foreign parents of Italian citizens pay an annual contribution of up to 2,000 euro (\$1,960) to access public health care. The practice was considered discriminatory because the same benefit was freely available to the rest of the population.

The governmental Anti-Racial Discrimination Office (UNAR) reported 721 cases of ethnic discrimination between January and June throughout the country. The European Roma Rights Center reported that discrimination against Roma and forced evictions regularly occurred. On May 30, local authorities in Rome announced a plan to close three informal Roma camps by the end of the year and to offer financial support to help displaced families rent apartments. Roma living in informal camps reported overcrowded housing (seven or eight persons per trailer, shack, or shipping container) and noted the camps were typically located on the periphery of a town or city and lacked easy access to government services, educational and employment opportunities, and public transportation.

The NGO Associazione 21 Luglio reported that in 2021, 11,300 Roma lived in 109 authorized camps in 68 municipalities, and another 6,500 lived in informal encampments, primarily in Lazio and Campania. Of Roma persons living in authorized camps, 49 percent were Italian citizens, 41 percent were citizens of former Yugoslavian countries, and 10 percent were Romanian citizens.

Children

Birth Registration: A child acquires citizenship when one of the parents is a citizen, when both parents of children born in the country are unknown or formally recognized as stateless, when parents are nationals of countries that do not provide citizenship to their children born abroad, when a child is abandoned in the country, or when the child is adopted. Local authorities require registration immediately after birth.

Child Abuse: Abuse of minors is punishable by six to 24 years in prison, depending on the age of the child. Child abuse within the family is punishable by up to seven years in prison. On June 24, police arrested a custodian suspected of having enticed and abused several students at a high school in the province of Trapani. On September 1, authorities reported a case of a mother abusing an age 11 child living in a facility shared by some Roma families. The victim was prevented from attending school and forced to collect reusable items from dumpsters. Between January and April, there were 3,589 reports of missing minors, approximately 67 percent of whom were foreigners. The government implemented prevention programs in schools, promptly investigated complaints, and punished perpetrators.

Child, Early, and Forced Marriage: The minimum age for marriage is 18, but juvenile courts may authorize marriages for individuals as young as 16. Forced marriage is punishable by up to five years in prison, or six years if it involves a minor. Forced marriage for religious reasons is also penalized. On May 14, a judge ordered the parents and several other relatives of a Pakistani girl to stand trial on charges of kidnapping and homicide. The girl disappeared in Reggio

Emilia after a meeting with her parents, who had attempted to force her to marry a cousin in Pakistan. Prior to her disappearance, she contacted local social service centers and moved to a protected community. Her parents returned to Pakistan after her disappearance.

Sexual Exploitation of Children: Authorities enforced laws prohibiting child sexual exploitation, the sale of children, child sex trafficking (offering or procuring a child for commercial sex), and practices related to child pornography.

Independent observers and the government estimated at least 4,000 foreign minors were victims of sexual exploitation, including child sex trafficking. According to the Department of Equal Opportunity, the number of child victims of trafficking who received assistance decreased from 105 in 2020 to 59 in 2021. The NGO Telefono Azzurro noted that the quantity of sexual abuse material published online almost doubled in 2021 compared to the previous year, and cases of pedophilia and sexual abuse reported to the organization almost tripled in 2021.

On January 15, police arrested a man responsible for child sex trafficking. He was sentenced to six years in jail for the sexual exploitation of foreign children in commercial sex. There were reports of child pornography. On January 29, authorities arrested two persons accused of sexual exploitation and of posting images of minors who were naked or having sexual intercourse with adults in two unrelated cases in Bari and Catania. In 2021, Postal Police reported 1,282 persons under investigation for online pedophilia, representing an 8 percent increase compared to 2020. Save the Children Italy reported that the COVID-19 pandemic exacerbated sexual exploitation and other abuses of children, who were often forcibly trapped unprotected in overcrowded apartments without access to health care. The minimum age for consensual sex is 14, or 13 if the age gap with the partner is less than three years.

Displaced Children: The Ministry of the Interior reported 5,460 unaccompanied children arrived in the country between January and August 28. As of June 30, the Ministry of Labor and Social Policies reported the presence in the country of 15,595 unaccompanied minors, of whom 80 percent were boys. Approximately

one-third were displaced Ukrainian children. Authorities located 3,087 of the 4,410 foreign minors who were reported missing between January and June leaving 1,323 at risk of labor and sexual exploitation, including trafficking (see section 2.e).

Antisemitism

There were approximately 27,000 Jews in the country. The law criminalizes the public display of the Fascist stiff-armed Roman salute and the sale or display of Fascist or Nazi memorabilia. Convictions may result in imprisonment from six months to two years, with an additional eight months if Fascist or Nazi memorabilia were sold online. The coordinator to combat antisemitism acknowledged the judicial system often did not follow up on such charges. The Presidency of the Council of Ministers in its final report from the technical working group for the recognition of the definition of antisemitism approved by the International Holocaust Remembrance Alliance noted the rules of the criminal code “do not adequately cover the reasons or purposes of antisemitic discrimination or hatred or antisemitic prejudice.”

Antisemitic societal prejudices persisted. Some extremist fringe groups were responsible for antisemitic remarks and actions, including physical violence against Jews, vandalism of Jewish-owned business and synagogues, and publication of antisemitic material on the internet. The Observatory on Antisemitism, part of the Center of Contemporary Jewish Documentation, reported 150 antisemitic incidents between January and August 31, including acts of violence.

On May 20 in Milan, two men assaulted and spat on a Jewish man wearing a kippah and yelled profanities at him. The victim required hospitalization. On January 25, two teenage girls physically assaulted and verbally insulted a Jewish child in the province of Livorno, telling him to “shut up and die in the ovens.” On August 25, several Jewish organizations reported receiving an email containing death threats.

Internet hate speech and bullying were the most common forms of antisemitic attacks, according to the Center of Contemporary Jewish Documentation. The center reported four cases of insults on the internet and 27 cases of graffiti against Jewish residents during the first half of 2022. Most incidents occurred during Jewish holidays or celebrations. Antisemitic slogans and graffiti appeared in some cities, including Milan, Rome, and Genoa. More than 2,000 police officers regularly guarded synagogues and other Jewish community sites in the country.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: The law does not criminalize consensual same-sex sexual conduct between adults.

Violence against LGBTQI+ Persons: NGOs advocating for the rights of LGBTQI+ persons reported instances of societal violence, discrimination, and hate speech. UNAR received 162 reports on cases of discrimination against LGBTQI+ individuals between January and June. On May 17, the website Gay.it reported that during the previous 12 months it had received approximately 20,000 calls and online messages, 64 percent of which concerned discrimination against members of the gay community and 12 percent of which concerned discrimination against transgender individuals. Approximately 35 percent of requests for help involved cases of discrimination in the workplace, 15 percent concerned cases of mobbing, blackmail, and revenge porn, 19 percent assaults, and 15 percent bullying.

The press reported cases of violence against LGBTQI+ individuals. Discrimination and violence against lesbian and bisexual women occurred. On May 8, NGO Tessere le Identita reported that one of its members was the victim of

assault; she was beaten and thrown down the stairs due to her sexual orientation. When LGBTQI+ persons reported crimes, authorities consistently investigated.

Discrimination: The law prohibits discrimination in the labor market by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics and recognizes LGBTQI+ individuals, couples, and their families. The government enforced the law. The law does not punish discrimination in other sectors such as education and housing and incitement to commit violence on the same ground.

Availability of Legal Gender Recognition: Legal gender recognition is available, but individuals must petition a court with jurisdiction over the matter. Self-determination is not allowed. An individual may petition for sex reassignment surgery or, where surgery is not desired, for a legal name change and gender marker update. Courts decide considering gender dysphoria and irreversible identification with the perceived gender. The petition must include psycho-diagnostic and medical documentation attesting to the path of gender affirmation, irreversible willingness to rectify legal sex, and definitive and irreversible identification with the experienced gender. For the first time on March 7, the Court of Rome recognized a person's gender as nonbinary and held that individuals could have their legal gender recognized without the need to undergo gender-affirming surgery or hormone therapy.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: There were no reports of involuntary or coercive medical, or psychological practices specifically targeting LGBTQI+ individuals.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly
The law does not restrict freedom of expression, association, or peaceful assembly for LGBTQI+ individuals.

Persons with Disabilities

The constitution and the law require authorities to provide access to education, health services, public buildings, and transportation to persons with disabilities on an equal basis. The government enforced these provisions effectively, but there were incidents of societal and employment discrimination. Although the law mandates access to government buildings and public transportation for persons with disabilities, physical barriers continued to pose challenges, and government information was not always provided in an accessible format. On April 19, the NGO Assoutenti sued a group of tourists seated in an area of a train reserved for those with disabilities who allegedly refused to give up their seats to seven persons with disabilities. The press and social media reported several cases of escalators and elevators out of order in public buildings and persons with disabilities being denied access to public transportation and other services. On August 4, police arrested four employees of a nursing home in Manfredonia accused of having repeatedly insulted and beaten persons with disabilities. One of the employees was also accused of sexual violence.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to establish and join independent unions, bargain collectively, and conduct legal strikes. Antiunion discrimination is illegal, and employees fired for union activity have the right to request reinstatement. A law passed on April 28 provides for the right for members of the armed forces to establish independent unions.

By law, strikes impacting essential public services (such as transportation, sanitation, and health services) require longer advance notification than in other sectors; the law also prohibits multiple strikes within days of each other in those services. The law only allows unions that represent at least one-half of the transit workforce to call a transit strike.

The government effectively enforced laws protecting freedom of association, collective bargaining, and the right to strike for workers. The penalties were commensurate with those provided under other laws involving denials of civil rights, although administrative and judicial procedures were sometimes subject to lengthy delays. Penalties were regularly applied against violators and judges effectively sanctioned the few cases of violations that occurred.

The government generally respected freedom of association and the right to bargain collectively, although there were instances in which employers unilaterally annulled bargaining agreements. Employers continued to use short-term contracts (according to official government labor statistics, 3.16 million of 23.2 million employees in July were employed on short-term contracts, the highest value since 1977) and often turned to subcontracting to avoid hiring workers with bargaining rights.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes all forms of forced or compulsory labor, and the government effectively enforced the law. Actual sentences given by courts for forced and compulsory labor were significantly lower than those provided by law.

The law provides stiff penalties for illicit intermediaries and businesses that exploit agricultural workers, particularly in the case of forced labor but also in cases of general exploitation. It identifies the conditions under which laborers may be considered exploited and includes special programs in support of seasonal agricultural workers. The law punishes so-called *caporalato*, the recruitment of agricultural workers who are illegally employed at subminimum wages and required to work long hours without premium pay or access to labor or social protections. Penalties range from fines to the suspension of commercial and business licenses and in some cases imprisonment.

According to NGO reporting, workers were subjected to debt bondage in construction, domestic service, hotels, restaurants, and agriculture, especially in the southern part of the country. The practice has reportedly spread to other sectors

and regions. There were media reports that a limited number of People's Republic of China nationals were forced to work in the textile sector and that criminal groups coerced persons with disabilities from Romania and Albania into begging. In 2021 in the southeastern region of Sicily, 30,000 workers on approximately 5,500 farms worked through the pandemic for as little as 15 euros (\$15) per day. During the year, immigrant workers were subjected to exploitation. There were anecdotal reports of labor contracts of 200 euros (\$200) per month for 10-12 hours of work per day at beach facilities in Calabria. On some occasions, employers reportedly refused to pay workers. There were also reports of children subjected to forced labor (see section 7.c.).

In 2021, inspectors from the Ministry of Labor and Social Policies and the Carabinieri identified 2,192 victims of labor exploitation or *caporolato*, up 18 percent from 2020. The government attributed the increase in identification to the end of COVID-19 restrictions that made labor inspection activities more difficult. Of the identified victims, 380 were undocumented migrant workers. The inspections office of the Ministry of Labor and Social Policies identified 1,680 unregistered workers.

According to the Confederazione Generale Italiana del Lavoro (CGIL), a national trade union, 81 cases of exploitation resulted in criminal proceedings in 2021, a decrease from 114 cases in 2020. The CGIL claimed that in 2021 there were 14 complaints filed directly by workers, whereas there were 12 complaints in 2020.

The government, through the inspector's office of the Ministry of Labor and Social Policies, continued to focus on forced labor, especially in the agricultural sector. The government provided a system to legalize undocumented foreign workers in the country. In 2021 more than 220,000 migrant workers applied for legal status through the program. The government estimated there were 600,000 undocumented migrants in the country.

Government labor inspectors and labor organizations expressed concerns that lockdown measures related to COVID-19 made migrant workers more vulnerable

to exploitation. Some migrant workers were designated “essential” by an emergency measure, thereby allowing accelerated processing times to obtain legal working status. This provision put them at risk of further exploitation, including employer blackmail. According to press reports, some employers manipulated and blackmailed migrant agricultural workers and care givers to obtain employer signatures on applications.

In 2020 a three-year plan (2020-22) revitalized the government’s efforts to fight labor exploitation and other illegal practices in the agricultural sector. Based on the plan, the European Commission and the Ministry of Labor and Social Policies funded projects to coordinate labor inspections with law enforcement agencies and the private sector. As a result of the inspections in central and southern Italy, 418 individuals were summoned for prosecution in 2021 from January 1 to December 31.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits all of the worst forms of child labor and includes a minimum age for employment, including limitations on working hours, and occupational safety and health restrictions for children. The minimum age for employment is 16 and applies to children in all sectors.

Children between the ages of 16 and 18 are limited to working eight hours a day or 40 hours a week. There are specific restrictions on employment in hazardous or unhealthy occupations for minors, such as activities involving potential exposure to hazardous substances, mining, excavation, and working with power equipment.

The government effectively enforced laws related to child labor in the formal economy. Penalties were commensurate with those for analogous serious crimes. Penalties were regularly applied against violators. Enforcement was not effective in the relatively extensive informal economy, particularly in the southern regions

of the country and in family-run agricultural businesses.

There were reports of child labor during the year, primarily in migrant and Roma communities. In 2021, labor inspectors and Carabinieri officers identified 114 underage laborers, of whom 58 were working in the services sector (hotels and restaurants). The remainder primarily worked in the art, sports, and entertainment sectors. Inspectors also identified 141 child workers with disabilities, mostly in the manufacturing sector.

The law provides for the protection of unaccompanied foreign minors and creates a system of protection that manages minors from the time they arrive in the country until they reach the age of 21 and can support themselves. The Ministry of Labor and Social Policies recognized that unaccompanied minors were vulnerable to child labor exploitation and worked to prevent abuse by placing them in protected communities that provided education and other services. The law also created a roster of vetted and trained volunteer guardians at the juvenile court level to help protect unaccompanied minors.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination with respect to employment and occupation, based on race, religion, national origin, color, sex (including pregnancy), ethnicity, disability, age, sexual orientation or gender identity, HIV or AIDS status, or refugee or stateless status. The government effectively enforced applicable law. Penalties were commensurate with other laws related to civil rights, but the number of inspections was insufficient to provide adequate implementation. Penalties were regularly applied against violators.

There were media reports of employment discrimination based on race or ethnicity. Unions criticized the government for providing insufficient resources to the National Office against Racial Discrimination to intervene in discrimination cases and for the lack of adequate legal measures to address new types of discrimination.

Employment discrimination based on gender, religion, disability, sexual

orientation, and gender identity occurred. The government implemented some information campaigns, promoting diversity and tolerance, including in the workplace. In many cases, according to labor unions, victims of discrimination were unwilling to request the forms of protection provided by employment laws or collective contracts, due to fear of reprisal. According to Eurostat data for 2020, the most recent year available, the country's unadjusted gender pay gap was 4.2 percent.

In 2021, Ministry of Labor and Social Policies inspectors carried out 51,752 inspections related to labor and social security regulations and identified 245 working mothers and pregnant women during those inspections. The employment sectors with the most violations related to occupational discrimination included hospitality, wholesale and retail trade, but violations also occurred in the tourism and health- and home-care assistance sectors. According to CGIL, unions focused their efforts on protecting the rights guaranteed to workers under national labor contracts, including protecting the rights of transgender workers. The CGIL reported tax exemptions for companies hiring women led to an increase in women's employment. The union noted that such jobs were almost exclusively fixed-term or part-time contracts, rather than long-term, salaried employment.

Under law, harassment in the workplace is not considered a crime.

e. Acceptable Conditions of Work

Wage and Hour Laws: The law does not provide for a minimum wage. Instead, collective bargaining contracts negotiated between unions and employers set minimum wage levels for different sectors of the economy. These minimum wages were above the poverty income level.

Unless limited by a collective bargaining agreement, the law sets maximum overtime hours in industrial firms at no more than 80 hours per quarter and 250 hours annually. The law prohibits compulsory overtime and provides for paid annual holidays. It requires rest periods of one day per week and 11 hours per day.

Occupational Safety and Health: The law sets occupational safety and health (OSH) standards and guidelines for compensation for on-the-job injuries. Occupational safety and health experts from government institutions were responsible for identifying unsafe situations and did so through inspections conducted by the same inspectors as wage and hour violations, under the same authorities. The government enforced regulations related to personal protective equipment requirements, in line with union negotiations and guidance from the Ministry of Health. In general, if documentation was provided workers could remove themselves from situations that endangered health or safety.

Occupational safety and health standards were appropriate for most sectors of the economy; however, government officials identified violations of safety standards in both the agricultural and manufacturing sectors.

Migrant workers in the agricultural sector sometimes faced unsafe work conditions, including working outdoors for prolonged periods of time while being exposed to temperatures above 100 degrees Fahrenheit and receiving wages below legal minimum wage requirements. In addition to farmworkers, unions and workers in the logistics sector expressed concerns regarding the grueling pace of work, work-related pain and injuries, and mental health issues as well as the lack of employment stability and security for temporary workers.

In 2021 there were 1,361 workplace deaths due to accidents as well as 349,643 reported incidents that resulted in injuries. Workplace deaths decreased by 19.2 percent from 2020 to 2021. The report of “traditional” fatal accidents, not related to the COVID-19 pandemic, increased by almost 10 percent.

Wage, Hour, and OSH Enforcement: The government effectively enforced minimum wage, overtime, and occupational safety and health laws. Penalties for violations were commensurate with those for similar crimes, such as fraud or negligence and were regularly applied against violators.

The Ministry of Labor and Social Policies is responsible for enforcement and, with regular union input, effectively enforced standards in the formal sector of the

economy. Labor inspections were jointly conducted by representatives from the Ministry of Labor and Social Policies, the National Institute for Social Security (INPS), and the National Institute for Insurance against Accidents at Work (INAIL). In 2021, the national labor inspections unit consisted of 3,848 representatives from the Ministry of Labor and Social Policies (2,294), INPS (942), INAIL (223), and the Carabinieri (389). The number of labor inspectors was sufficient to enforce compliance and inspectors have the authority to make unannounced inspections and initiate sanctions.

In 2021, authorities completed 65,685 inspections, including 51,762 inspections related to labor and social security regulations and 13,924 inspections related to health and safety in the workplace. An additional 25,819 technical and administrative accounting checks were completed. Labor inspectors and Carabinieri officers inspected 117,608 companies (compared to 103,857 in 2020) (including agricultural firms) and identified 480,119 workers whose terms of employment were fully or partly in violation of labor law.

The government increased training for labor inspectors and Carabinieri and increased efforts to inform foreign agricultural workers of their rights. In July the Ministry of Labor and Social Policy launched an effort to hire 1,249 new positions including 1,174 technical inspectors, 50 statistical experts, and 25 data information experts. The Carabinieri received authorization to hire 90 additional units related to labor monitoring and enforcement.

Informal Sector: An August survey by the Ministry of Labor and Social Policies identified 15,150 workers employed in the informal sector, of which 739 were undocumented immigrants. Workers employed in the informal economy were primarily identified in the agricultural, manufacturing, services, and construction sectors. Among informal employment cases identified, the share of female workers decreased from 40 percent in 2019 to 30 percent in 2021. Workers identified in the informal sector represented 26 percent of the 59,362 workers identified as not regularly employed workers in 39,052 inspections in the informal sector. Informal workers were often exploited and underpaid, worked in

unhygienic conditions, or were exposed to safety hazards.

Informal sector workers or those working part time are covered by wage, hour, OSH, and other labor laws and inspections. The Ministry of Labor and Social Policies provided social protections for informal economy workers. However, enforcement of laws and provision of protection was limited due to the nature of informal work. Labor standards were partially enforced in the informal sector, especially in agriculture, construction, and services (hotel, bar, restaurant, transportation, and warehouse services), which employed an estimated 2.4 percent of the country's salaried workers and 0.7 percent of the country's self-employed workers (3.59 million).

Unions reported significant numbers of informal foreign workers living and working in substandard or unsafe conditions in some areas of Calabria, Puglia, Campania, and Sicily. According to statistics published by the National Institute of Statistics in 2021, the informal sector of the economy was responsible for more than 11 percent of the country's GDP. Of the sites inspected in 2021, labor inspectors found 70 percent of the jobs in the northeast were irregular, approximately 61 percent of jobs in the northwest were irregular, and nearly 60 percent of the jobs in the central and southern parts of the country were irregular.